

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting Minutes  
May 7, 2020

ZOOM MEETING

Call to Order: 9:02 a.m.

Closed Session: none

Opening Ceremony: Emily Proctor

Council Present: Councilor Fred Harrington, Jr., Councilor Fred Kiogima, Councilor Tamara Kiogima, Councilor Melissa Pamp, Councilor Leroy Shomin, Councilor Marty Van De Car, Treasurer Marcella Reyes, Secretary Julie Shananaquet, Legislative Leader Emily Proctor

Absent: none

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick  
Legislative, Office Manager Michele Portman-LaCount, Sr. Financial Analyst Rachel Cope, Tribal Historic Preservation Officer Melissa Wiatrolik

Executive Officials and Staff Present: Tribal Chairperson Regina Gasco-Bentley, Executive Director Unit II Daugherty Johnson

Judicial Officials and Staff: Jody Gasco

Public: Kathy McGraw, Marissa Roach, Dennis Lawrence, Kim Gorgion, Melissa Shomin, Marvin Mulholland, Laura Blumberg, Citizen-unidentified last 4-digits of phone #8992

Invited Guest: Odawa Economic Development Management, Inc.: Tanya Gibbs and Alan Proctor; Odawa Economic Affairs Holding Company: Greg Karlis; Gaming Authority: Matt Stemkoski, Mary Kilmer; Odawa Casino Resort: Ron Olson, Roger Borton, Tribal Burial Board Inc: Ken Gill, Gwen Teuthorn

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**Motion** made by Secretary Julie Shananaquet and supported by Treasurer Marcella Reyes to adopt the agenda for May 7, 2020 as presented.

Vote: 9- Yes, 0- No, 0- Abstained, 0- Absent

Motion carried.

**Motion** made by Treasurer Marcella Reyes and supported by Legislative Leader Emily Proctor to dedicate this meeting in honor of the following Citizens who have walked on: Roger Smith Sr., Garry Shawa, Steven Potter, Curtis Willis, Timothy Hemenway, Ruth McGraw, David Shananaquet, Linda Smith, Lewis Keller

Vote: 9- Yes, 0- No, 0- Abstained, 0- Absent

Motion carried.

**Executive Oversight Report:** Tribal Chairperson Regina Gasco-Bentley update

-COVID-19 update, procedural changes due to virus, delay in casino opening, contribution of masks to Navajo Nation. Executive Director Unit I Phil Harmon  
-Mask available for staff who are reporting to work, continued services to Citizens. Executive Director Unit II Daugherty Johnson- continued services for Elders with hope to expand delivery services of food for Elders, waiving May and June rent fees for housing residents, issuing permits and moving forward with housing lot 13.:

**Motion** made by Councilor Melissa Pamp and supported by Councilor Fred Harrington, Jr. to acknowledge the March and April 2020 verbal and written Executive Reports as presented by Tribal Chairperson Regina Gasco-Bentley for May 7, 2020.

Vote: 9- Yes, 0- No, 0- Abstained, 0- Absent

Motion carried.

### **Legislative Officer Reports:**

#### Legislative Leader Report

Discussion:

**Motion** made by Councilor Melissa Pamp and supported by Councilor Fred Harrington, Jr. to accept Legislative Leader Emily Proctor's verbal and written report for May 7, 2020.

Vote: 9- Yes, 0- No, 0- Abstained, 0- Absent

Motion carried.

#### Secretary Report

Documents Delivered to Executive:

Vetoed: Amendment to Waganakising Odawak Statute 2018-016 Gaming Authority Statute VETOED on 02/07/2020. and Gaming Regulatory Statute VETOED on 02/11/2020.

Phone Polls: The following 27 phone polls were conducted and passed by Tribal Council:

1. 03/13/20 Approve COVID-19 Protocols for Employees to Plan and Respond, Emergency K-12 Childcare Benefit Leave and Quarantine PTO Advance Program. Vote: 8-yes, 1-no.
2. 03/16/20 Approve Tribal Government Emergency Closure. Vote: 8-yes, 1-no.
3. 03/19/20 Approve Certified Motion 031920-01 Funding FY2020 Non-Recurring Funds. Vote: 8-yes, 1-absent.
4. 03/19/20 Approve Certified Motion 031920-02 Tribal Historic Preservation Office Grant Funding. Vote: 8-yes, 1-absent.



5. 03/19/20 Approve Certified Motion 031920-03 Funding from Wal-Mart Foundation for Healthy Native Foods Project FY2020-FY2021. Vote: 8-yes, 1-absent.
6. 03/19/20 Approve Certified Motion 031920-04 Funding for Family First Preservation Services Transition Grants FY 2020. 8-yes, 1-absent.
7. 03/23/20 Approve Certified Motion 032329-01 Funding for Library Services Grant FY 2020.
8. 03/24/20 Adopt Resolution COVID-19 Suspension of Deadline for Waganakising Odawak Statute 2015-016 Budget Formulation Statute and Waiver of Approval Requirement of Grant, Donation or Other Funding Policy. Vote: 9-yes
9. 03/25/20 Adopt Resolution Supplemental Funding for Ziibimijwang, Inc in the amount of \$137,940. Vote: 9-yes
10. 04/01/20 Adopt Resolution Transfer of Funds from LTGG-Short Term Investment Accounts to Odawa Casino Resort in the amount of \$2.3 Million as a result of unanticipated COVID-19 related expenses. Vote: 8-yes, 1-abstained.
11. 04/09/20 Authorize and Approve the Tribal Chairperson to submit written comments on behalf of Little Traverse Bay Bands of Odawa Indians to the United States Secretary of Treasury and Secretary of Interior regarding distribution of the Coronavirus Aid, Relief and Economic Security Act (CARES). Vote: 9-yes
12. 04/17/20 Pass Waganakising Odawak Statute Domestic Violence. Vote: 9-yes.
13. 04/17/20 Pass Waganakising Odawak Statute Amendment to Waganakising Odawak Statute 2015-005 Victims' Rights. Vote: 9-yes
14. 04/17/20 Pass Waganakising Odawak Statute Personal Protection Orders and No Contact Orders and Violations of Protective Orders. Vote: 9-yes
15. 04/20/20 Approve Certified Motion 042020-01 Request Funding from the Bureau of Indian Affairs Attorney Fees & Litigation Support Program FY 2020. Vote: 9-yes
16. 04/20/20 Approve Certified Motion 042020-02 Request for Funding from the Institute of Museum and Library Services, Native American Library Services FY 2020 Enhancement Grant. Vote: 9-yes
17. 04/20/20 Approve Certified Motion 042320-03 Request for Funding from Michigan Department of Health and Human Services, Tribal Coronavirus Disease 2019 Response FY 2020 Vote: 9-yes
18. 04/20/20 Approve Certified Motion 042020-04 Request for Funding from Native American Programs and Wildlife and Sport Fish Restoration Program, Tribal Wildlife Grant FY 2020. Vote: 9-yes

19. 04/20/20 Adopt Resolution Supplemental Funding in the amount of \$150,000.00 for the purpose of Food and Utility Allowance. Vote: 9-yes
20. 04/20/20 Adopt Resolution to Increase IT Department FY 2020 Operating Budget by the amount of \$73,700 for additional software and licensing agreements and security awareness. Vote: 8-yes, 1-no
21. 04/20/20 Table Resolution Authorizing Natural Resources Department to retain revenue from Treaty Rights Related and/or Recreational Facilities. Vote: 9-yes
22. 04/20/20 Table Resolution for Use of 3rd Party Support Revenue in the amount of \$466,000.00 to supplement 2020 Health Department Budget. Vote: 9-yes
23. 04/22/20 Authorize and approve Legislative Leader to send letter to Governor's Deputy Legal Counsel regarding request for a phone conference on Michigan Medical Marijuana Facilities Licensing Act of 2016 and Michigan Taxation and Regulation of Marijuana Act. Vote: 6-yes, 3-no
24. 04/22/20 Approve Minutes of March 12, 2020. Vote: 9-yes
25. 04/29/20 Approve Limited Waiver Letter Identified Events of Default agreement with Wells Fargo Bank. Vote: 7-yes, 1-abstained, 1-absent
26. 04/29/20 Adopt Resolution Tribal Council Meeting Protocol During State of Emergency. Vote: 8-yes, 1-abstained
27. 04/30/20 Post Waganakising Odawak Statute Hemp Authorization and Regulatory Commission Vote: 9-yes

**Motion** made by Councilor Fred Harrington, Jr. and supported by Councilor Melissa Pamp to accept Secretary Shananaquet's verbal and written report as presented on the agenda for May 7, 2020.

Vote: 9- Yes, 0- No, 0- Abstained, 0- Absent

Motion carried.

### Treasurer Report

#### Appropriations and Finance Committee

Last meeting: February 11, 2020

*(Motions made at the Appropriations and Finance Committee Meeting)*

*Motion made by Councilor Leroy Shomin and supported by Treasurer Marcella Reyes to recommend to Tribal Council to approve Ziibimijwang, Inc. FY 2020 Budget.*

*Vote: 2 Yes, 0 No, 0 Abstain, 1 Absent (Secretary Julie Shananaquet)*

*Motion carried.*

*Motion made by Councilor Leroy Shomin and supported by Treasurer Marcella Reyes to recommend to Tribal Council to approve Tribal Resolution Supplemental funding for Ziibimijwang, Inc. in the amount of \$244,440.*



Vote: 2 Yes, 0 No, 0 Abstain, 1 Absent (Secretary Julie Shananaquet)  
Motion carried.

Motion made by Councilor Leroy Shomin and supported by Treasurer Marcella Reyes to recommend to Tribal Council to approve Odawa Economic Affairs Holding Corporation's FY 2020 1st Quarter Budget.

Vote: 2 Yes, 0 No, 0 Abstain, 1 Absent (Secretary Julie Shananaquet)  
Motion carried.

-Next Meeting: May 12, 2020 at 9:00 a.m. via Zoom

-Phone Polls passed by Appropriations and Finance Committee were reported above in the Tribal Secretary Report.

**Motion** made by Councilor Fred Harrington, Jr. and supported by Councilor Tamara Kiogima to accept Treasurer Reyes' verbal and written agenda report as presented on the agenda for May 7, 2020.

Vote: 9- Yes, 0- No, 0- Abstained, 0- Absent  
Motion carried.

**10:25 a.m.** Break

**10:35 a.m.** Return

#### **Tribal Council Committee Reports:**

##### Land and Reservation Committee

Last meeting: April 17, 2020

Next meeting: June 5, 2020 at 9:00 a.m. location to be decided.

**Motion** made by Councilor Marty Van De Car and supported by Councilor Melissa Pamp to accept Treasurer Reyes Committee Chair's verbal and written report for the Land and Reservation Committee as presented on the agenda for

Vote: 9- Yes, 0- No, 0- Abstained, 0- Absent  
Motion carried.

**Tribal Council Member Reports:** none

#### **Legislative Staff Reports:**

Office of Finance and Revenue Report - Sr Financial Analyst Rachel Cope:  
Corporate Charters and/or Board Updates:

##### Tribal Burial Board, Inc. 2020 1<sup>st</sup> Quarter Report

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Leroy Shomin to acknowledge receipt of the Tribal Burial Board FY 2020 1<sup>st</sup> Quarter and Budget Report.

Vote: 9-Yes, 0-No, 0-Abstain, 0-Absent  
Motion carried.

Odawa Economic Development Management, Inc. 2020 1<sup>st</sup> Quarter Report

**Motion** made by Councilor Tamara Kiogima and supported by Councilor Melissa Pamp to acknowledge receipt of Odawa Economic Development Management, Inc.'s 1st Quarter Report, Profit & Loss Accrual Basis Report and Balance Sheet for May 7, 2020.

Vote: 9-Yes, 0-No, 0-Abstain, 0-Absent

Motion carried.

Ziibimijwang, Inc. 2020 1<sup>st</sup> Quarter Report

**Motion** made by Councilor Leroy Shomin and supported by Councilor Fred Kiogima to acknowledge receipt of the Ziibimijwang, Inc. 2020 1st Quarter Report for May 7, 2020.

Vote: 9-Yes, 0-No, 0-Abstain, 0-Absent

Motion carried.

Odawa Economic Affairs Holding Corporation, Inc.

**Motion** made by Councilor Melissa Pamp and supported by Councilor Fred Harrington Jr. to acknowledge receipt of the Odawa Economic Affairs Holding Corporation, Inc. 2020 1st Quarter Report for May 7, 2020 and Budget.

Vote: 9-Yes, 0-No, 0-Abstain, 0-Absent

Motion carried.

Gaming Authority-Odawa Casino Resort – 2020 1st Quarter Report.

**Motion** made by Councilor Melissa Pamp and supported by Treasurer Marcella Reyes to acknowledge receipt of the Gaming Authority/Odawa Casino Resort 2020 Q1 Update dated April 30, 2020 and the Confidential letter update for the Enterprise dated May 4, 2020.

Vote: 8-Yes, 0-No, 1-Abstain (Councilor Marty Van De Car), 0-Absent

Motion carried.

**Motion** made by Secretary Julie Shananaquet and supported by Treasurer Marcella Reyes to accept Sr Financial Analyst Rachel Cope's verbal and written report for May 7, 2020.

Vote: 9-Yes, 0-No, 0-Abstain, 0-Absent

Motion carried.

Tribal Historic Preservation Officer updates and monthly report:

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Tamara Kiogima to accept Tribal Historic Preservation Officer Melissa Wiatrolik's verbal and written report as presented on May 7, 2020.

Vote: 9-Yes, 0-No, 0-Abstain, 0-Absent

Motion carried.

Legislative Services Attorney Report



**Motion** made by Secretary Julie Shananaquet and supported by Councilor Fred Harrington Jr. to acknowledge receipt of Legislative Services Attorney Donna Budnick's verbal and written report s presented on May 7, 2020.

Vote: 9-Yes, 0-No, 0-Abstain, 0-Absent

Motion carried.

#### General Counsel

**Motion** made by Treasurer Marcella Reyes and supported by Councilor Fred Harrington Jr. to accept General Counsel Jim Bransky's verbal report as presented on May 7, 2020.

Vote: 9-Yes, 0-No, 0-Abstain, 0-Absent

Motion carried.

#### Legislative Office Manager

**11:46 a.m.** Public Comment Open:

- Melissa Shomin Thank you Tribal Council for hard work, honesty, transparency. Advise to not act too quickly when making decisions. Thanked everyone for showing up to Zoom meetings.

**11:49 a.m.** Public Comment Closes.

#### Continuation of Legislative Office Manager's Report...

**Motion** made by Secretary Julie Shananaquet and supported by Treasurer Marcella Reyes to accept Legislative Office Manager Michele Portman-LaCount's verbal and written report as presented on May 7, 2020.

Vote: 9-Yes, 0-No, 0-Abstain, 0-Absent

Motion carried.

#### **Tribal Council Action Items:**

**Motion** made by Councilor Fred Harrington Jr. and supported by Councilor Leroy Shomin to approve the use of Zoom Video Communications, Inc. as the electronic platform for future Tribal Council meetings in accordance with Tribal Resolution # 042920-01 Tribal Council Meeting Protocol During State of Emergency.

Vote: 9-Yes, 0-No, 0-Abstain, 0-Absent

Motion carried.

**Motion** made by Secretary Julie Shananaquet and supported by Councilor Leroy Shomin to override Executive Veto of Waganakising Odawak Statute Amendment to Waganakising Odawak Statute 2018-016 Gaming Authority.

Vote: 6-Yes, 2-No (Councilor Fred Kiogima Legislative Leader Emily Proctor), 1-Abstain (Councilor Marty Van De Car), 0-Absent

***Motion fails due to the need for 6-affirmative votes to override a veto.***

**Motion** made by Secretary Julie Shananaquet and supported by Councilor Tamara Kiogima to override Executive Veto of Waganakising Odawak Statute Gaming Regulatory.

Vote: 6-Yes, 2-No (Councilor Fred Kiogima, Legislative Leader Emily Proctor) 1-Abstain (Councilor Marty Van De Car), 0-Absent

***Motion fails due to the need for 6-affirmative votes to override a veto.***

**12:09 p.m.** Adjournment

**Motion** made by Councilor Tamara Kiogima and supported by Councilor Fred Kiogima to adjourn.

Vote: 9-Yes, 0-NO, 0-Abstain, 0-Absent

Motion carried.

Next Scheduled Meeting May 21, 2020 at 9:00 a.m. on Zoom with access provided on the May 21, 2020 agenda.

Next Regular Scheduled Meeting:  
**Thursday, June 11, 2020 at 9:00 a.m.**

These Minutes have been read and are approved as corrected/written.

	
_____ Julie Shananaquet, Tribal Council Secretary	_____ Date